

Courts as an Arena for Societal Change

2nd Conference of the Research Group on Institutions for
Conflict Resolution (*Conflictoplossende Instituuties*)

Call for Abstracts

Courts and Societal Change

In recent years, courts around the world have increasingly been asked to decide on cases that deal with highly sensitive societal and political issues. 'Legal mobilization' and 'public interest litigation' are on the rise. Citizens and civil society organizations may feel that other institutions are failing them, whether due to political divisions, incompetence, state capture or for other reasons. Some even see courts as the only state institution capable of providing long-term solutions to major societal problems.

International examples include rulings by the Court of Justice of the European Union (CJEU) on politically sensitive issues regarding the environment, rule of law, and Brexit. In one such example, the CJEU had to decide whether the position of the judiciary in Poland and Hungary was still in line with EU rule of law values. The current global COVID-19 pandemic, too, has created many controversies upon which courts have been asked to rule. Courts in various countries have issued remarkable judgments concerning climate change, such as the Urgenda and Shell cases in the Netherlands. Other examples concern cases regarding migration, the tobacco industry, and algorithmic processing of personal data by the government.

Questions

These developments give rise to various questions with regard to the causes of the changing role of courts. Which processes move citizens to take socially charged issues that are the subject of ongoing political and societal debates to the judiciary? What roles do governments, parliaments, courts and civil society play in these processes?

Furthermore, the changing role of courts touches upon a host of fundamental issues. How do administrative, civil or criminal institutional procedures affect citizens' possibilities for addressing highly sensitive societal and political issues in court? What leads courts to render substantive decisions on these issues, or why do they refrain from doing so? What kind of problems arise if judges rule in such politically charged contexts? What consequences does the evolving role of the courts have for the judiciary's self-perception and its legitimacy? One issue to consider is the risk that courts, in deciding such cases, may no longer be regarded as independent and impartial by the general public. Another danger is that other state institutions may respond to court decisions in a way that will jeopardize the independence and impartiality of judges. How can these concerns be balanced with changing public expectations around the role of the courts?

Conference and Call for Abstracts

These issues will be the central theme of a two-day international conference taking place in Leiden, the Netherlands on 8 and 9 July 2022. This is the second conference organized by the research group on institutions for conflict resolution, a collaboration between Radboud University Nijmegen, Utrecht University, and Leiden University, the Netherlands.

Researchers from all over the globe, whose work fits within this theme and who would like to present their research during the conference, are cordially invited to submit an abstract through this [link](#) before 1 February 2022. Submissions from doctoral candidates and early career researchers are also welcome. Decision notifications will be communicated by 1 March 2022.

Proposals for presenting research can be submitted as individual paper presentations, panel sessions consisting of three to five presenters and a discussant, or roundtable sessions. Diverse perspectives are welcome, and abstracts may focus on a specific theme (like the environment, climate change, the COVID-19 pandemic, the rule of law), geographical and cultural differences, specific judicial organizations (international courts, constitutional courts, administrative, civil and criminal courts) or various academic disciplines (such as criminology, history, law, philosophy, political science, and sociology). Submissions can be based on applied, conceptual/theoretical, or empirical research.

Please note that the language of the conference will be English, though there may be some sessions conducted in Dutch. If you would like to present only in Dutch, please indicate this in your submission.

Please make sure that your abstract adheres to the following requirements:

Individual Paper Presentation (Individual Submission)

If accepted, individual paper presentations will be placed into a panel by the conference organizers. Generally, three to five papers will be assigned to each panel, giving authors 10-15 minutes to present, plus a discussion and Q&A period. Submissions for individual paper presentations should include an abstract of up to 300 words, presentation title, name and affiliation of presenter together with a bio, names and affiliations of possible co-authors, and up to three key words from the list below. The bio should be no more than 50 words and should indicate the presenter's current position as well as a short description of their main expertise. Presenters can present either existing work or work-in-progress, and there is no expectation that the paper be submitted as part of the conference.

Panel Session (Group Submission)

Panel sessions provide an opportunity for coordinated interaction and exchange among presenters working on a common set of themes or questions. Proposals for these sessions are submitted by a group of three to five presenters and a discussant, who also designate their own chair. A panel session may follow a conventional format of individual paper presentations followed by discussion, or panel organizers may experiment with different presentation formats to enhance audience engagement and interaction. Please explain the format in the panel description, if it is not a conventional format. Proposals for panel sessions should include a panel abstract of up to 250 words, as well as abstracts of up to 250 words for each of the individual papers included. Proposals must also include a session title, name and affiliation of session organizer and all presenters together with a bio for each, and up to three key words from the list below. Reviewers will pay special attention to how each presenter's study relates to the overarching significance of the panel. The bios should be no more than 50 words and should indicate the organizer's/presenters' current position as well as a short description of their main expertise. Presenters can present either existing work or work-in-progress, and there is no expectation that papers be submitted as part of the conference.

Roundtable Session

Roundtable sessions allow for enhanced research collaboration and substantive discussion and interaction among participants. Submissions for roundtable sessions should include an abstract of up to 300 words, name and affiliation of organizer together with bio, and up to three key words from the list below. The bio should be no more than 50 words and should indicate the organizer's current position as well as a short description of their main expertise.

Key Words

Please choose up to three key words from the ones mentioned below.

Theme of conflict	Research topic	Academic discipline
Climate change	Judicial activism	Criminology
Environment	Politicization	Sociology
COVID-19	Democracy	Law
Rule of law	Conflict resolution	Political science
Brexit	Legitimacy	History
Housing	Effectiveness	Anthropology
Health	Accountability	Psychology
Migration	Legal mobilization	Economics
Artificial intelligence	Public interest litigation	Philosophy
Other: ...	Other: ...	Other: ...

For more information on the research theme "Institutions for Conflict Resolution" carried out at Leiden Law School, please click [here](#).

For abstract submission inquiries, please email: COIconference@law.leidenuniv.nl.